

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK-----X
ERIKA LEE,

Plaintiff,

- against -

DELTA AIR LINES, INC.,

Defendant.

22-CV-8618 (GHW) (RWL)

ORDER**ROBERT W. LEHRBURGER, United States Magistrate Judge.**

On February 16, 2023, the Court held a case management conference at the request of Defendant given several seeming oddities, inconsistencies, and coincidences suggesting, as alleged by Defendant, that the instant lawsuit is being orchestrated in part or in whole by Aasir Azzarmi, a serial plaintiff who has been deemed a vexatious filer of frivolous litigation in a variety of jurisdictions. This order concerns one specific issue arising out of the conference.

In the State Court pleadings that Plaintiff filed in June 2022 to commence her lawsuit and which was removed by Defendant in the instant matter, Plaintiff identified her address as **20 Confucius Plaza, #10K**, New York, NY 10002. (Dkt. 1-1 at ECF 2, 37.) Upon removal to this Court, that is the address that the Clerk's office entered on ECF as Plaintiff's mailing address. On February 11, 2023, Plaintiff filed a letter, with an electronic "S/" instead of a written signature, correcting her address to **10 Confucius Plaza, #10K**, New York, NY 10002. (Dkt. 38.) In between commencement of the action and the change of address filing, Plaintiff filed materials using varied addresses, including **1 East 35th Street, Apt. 11A**, New York, NY 10016 (Dkt. 1-2) (amended state court summons) and

100 Confucius Plaza, #10K, New York, NY 10002 (Dkts. 7, 27, 28). Plaintiff did not, however, file a notice of change of address, and thus the address listed for Plaintiff on ECF remained 20 Confucius Plaza, #10K.

On February 3, 2023, the Clerk of Court mailed two court orders to Plaintiff at the address listed on ECF – **20 Confucius Plaza, #10K**. There is no indication that that mailing was rejected or returned. Following Plaintiff's February 11, 2023 notice of change of address to **10 Confucius Plaza, #10K** the Clerk of Court changed Plaintiff's address on ECF to that address. (Dkt. 38.)

At the case management conference, the Court asked Plaintiff about the varied addresses. Plaintiff represented that both the 100 Confucius Plaza, #10K address and the 10 Confucius Plaza, #10K address were typographical errors; she had intended her notice of change to reflect a change to **20 Confucius Plaza, #10K**. In response to the Court's question about which was her current address, Plaintiff responded that it was 20 Confucius Plaza, #10K. The preceding sequence of events presents a curiosity – if, in filing her change of address notice, Plaintiff had meant to designate the changed address as "20" Confucius Plaza but erred in presenting it as "10" Confucius Plaza, there would have been no need to file any change of address as Plaintiff's official address on ECF always was and remained 20 Confucius Plaza, #10K.

Accordingly, by **February 27, 2023**, Plaintiff shall file an affidavit sworn under oath identifying at which address she lived and when from June 2022 to the present. Plaintiff shall identify each separate address and the dates when she lived at each. If Plaintiff used a mailing address different than the address where she lived, then she shall indicate that as well, again identifying the address and the dates when that address was used.

Based on Plaintiff's representations in Court, the Clerk of Court is respectfully directed to change Plaintiff's mailing address on ECF to **20 Confucius Plaza, #10K, New York, NY 10002.**

Additionally, as discussed at the conference, Defendant may file a reply in support of its motion to dismiss by **March 17, 2023.**

SO ORDERED.



ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: February 17, 2023
New York, New York

The Court respectfully requests the Clerk of Court to mail a copy of this Order to the pro se Plaintiff:

Erika Lee
20 Confucius Plaza, Apt. 10K
New York, NY 10002